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New York

SUMMARY RECORD OF THE 50th MEETING

Chairman: Mr. KUKAN (Slovakia)

later: Mr. VAN DER HEIJDEN (Netherlands)
(Vice-Chairman)

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The meeting was called to order at 3.25 p.m.

Expression of condolences

1. The CHAIRMAN said that it was his sad duty to announce the death of Mr. Julián Palacios, who had been a very active member of the Spanish delegation in the Third Committee, and invited the members of the Committee to observe a minute of silence in his memory.

2. Mr. YAÑEZ BARNUEVO (Spain) thanked, on behalf of the entire Spanish delegation, the Chairman, the Bureau and all the members of the Third Committee for their gesture of profound sympathy on the sudden and premature death of Mr. Julián Palacios. Just a few hours earlier Mr. Palacios had been working with his usual boundless energy in Spain's Ministry of Foreign Affairs to advance the cause of human rights throughout the world, as he had done previously at the Permanent Mission of Spain to the United Nations Office at Geneva. He would convey to the Spanish Government and to the family of the deceased the condolences of the Third Committee of the General Assembly.

AGENDA ITEM 114: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/48/L.53, L.61 and L.67)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/48/L.38, L.42-50, L.52, L.54-56, L.59, L.60, L.63, L.64, L.66, L.69, L.71, L.76 and L.77)

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AGENDA ITEM 172: NECESSITY OF ADOPTING EFFECTIVE MEASURES FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN THROUGHOUT THE WORLD WHO ARE VICTIMS OF ESPECIALLY DIFFICULT CIRCUMSTANCES, INCLUDING ARMED CONFLICTS (continued) (A/C.3/48/L.39 and L.40)

Draft resolution A/C.3/48/L.36

3. Mr. COHEN (United States of America), introducing draft resolution A/C.3/48/L.36, entitled "Situation of human rights in Cuba", said that the draft focused on the Cuban Government's failure both to guarantee to the people of Cuba the free exercise of their basic rights and to cooperate in any way in the implementation of the decisions of the General Assembly or in the fulfilment of the mandate of the Commission on Human Rights.

4. The importance which the international community attached to the question of human rights in Cuba, or anywhere else in the world, was legitimate. Many countries had endorsed the Special Rapporteur's appeal to the Cuban Government

(Mr. Cohen, United States)

to make changes which would result in compliance by that country with the most basic international standards in the area of human rights.

5. His delegation intended to make a number of technical revisions to the text of the draft resolution, which would then be circulated as document A/C.3/48/L.36/Rev.1. The penultimate paragraph of the preamble would be deleted. The text of the last preambular paragraph would be revised so as to refer to the documentation relating to the Special Rapporteur's interim report for the current rather than the previous year. The preambular paragraph in question would thus read: "Recalling the failure of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1992/61 by refusing to permit the Special Representative to visit Cuba, and its response, as cited in appendix II to the 1993 interim report of the Special Rapporteur, in which Cuba stated 'we emphatically reject resolution 1992/61 and accordingly, we cannot cooperate in its implementation in any way'".

6. Lastly, his delegation had a technical revision to make to paragraph 4 relating to the title of the report in document E/CN.4/1993/39. The paragraph in question would be revised to read: "Regrets profoundly the numerous uncontested reports of violations of basic human rights and fundamental freedoms that are described in the report to the Commission on Human Rights of the Special Rapporteur and in the interim report of the Special Rapporteur of the Commission on Human Rights".

7. The sponsors of the draft resolution (Australia, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Finland, France, the Gambia, Germany, Hungary, Iceland, Ireland, Japan, Luxembourg, Netherlands, Norway, Poland, Portugal, the Republic of Moldova, Romania, Sweden, the United Kingdom and the United States) believed that the text was very similar to General Assembly resolution 47/139 and took into account the interim report of the Special Rapporteur (A/48/562), and they therefore commended it to the Committee for adoption.

Draft resolution A/C.3/48/L.38

8. The CHAIRMAN announced that Afghanistan, Georgia, Myanmar, the Philippines and Tajikistan had become sponsors of draft resolution A/C.3/48/L.38, entitled "World Conference on Human Rights".

9. Mrs. KOFLER (Austria) said that Barbados, Bolivia, Chile, France, Kazakhstan, Solomon Islands, Spain, the United Kingdom and Viet Nam had become co-sponsors of the draft resolution. The very large number of sponsors reflected the importance the international community attached to the results of the World Conference on Human Rights held in Vienna. The text of the draft had been finalized in consultation with a large number of delegations, in the same spirit of constructive cooperation that had guided the work of the Conference.

10. In operative paragraph 2, the General Assembly endorsed the Vienna Declaration and Programme of Action. The draft resolution also referred to finding ways to distribute as widely as possible the final document of the Conference, which could be seen as a model upon which human rights activities

(Mrs. Kofler, Austria)

might draw inspiration in future years. The draft resolution proposed setting up a structure for follow-up to the Conference. In it, the General Assembly called on all States and other organs and agencies related to human rights to take further action with a view to the full implementation of all recommendations of the Conference. It also requested the Secretary-General to report annually to it on the measures taken and the progress achieved. Finally, the draft resolution provided for consideration, under a sub-item of the agenda item on human rights questions entitled "Comprehensive implementation and follow-up to the Vienna Declaration and Programme of Action", of the progress achieved in the implementation of the Conference's recommendations. Her delegation hoped that the Third Committee, in keeping with the spirit of Vienna, would adopt the draft resolution without a vote.

Draft resolution A/C.3/48/L.39

11. The CHAIRMAN said that Australia and Cambodia had become co-sponsors of draft resolution A/C.3/48/L.39, entitled "Need to adopt efficient international measures for the prevention of the sale of children, child prostitution and child pornography".

12. Mr. ROSENBERG (Ecuador), introducing draft resolution A/C.3/48/L.39 on behalf of the Group of Latin American and Caribbean States, of which he was the chairman for the current month, said that the draft resolution recommended the adoption of effective measures for the protection of children who were victims of especially difficult circumstances. In order to put an end to the practices condemned in the draft, the Commission on Human Rights was asked to consider, as a matter of priority, during its fiftieth session, the creation of a working group to study the elaboration of guidelines of a possible draft convention aimed at eradicating all practices that were harmful to the development of the child, in particular, child prostitution and child pornography. Given the extent of those practices and of the need to adopt specific emergency measures to eliminate them, the Special Rapporteur of the Commission on Human Rights was asked to submit to the General Assembly at its forty-ninth session a provisional report on the factors that influenced those practices.

13. Some delegations had proposed amendments to the text of the draft resolution. The word "abductions" should be added to the seventh preambular paragraph, so that the paragraph would read as follows: "abandonment, kidnapping and abductions of children for commercial purposes". It was also suggested that operative paragraph 6 be replaced by the following text:

> "Requests the Commission on Human Rights to consider, during its fiftieth session, the creation of a working group to study, as a matter of priority, the elaboration, in close contact with the Special Rapporteur, of the outlines of a possible draft convention on the issues related to the sale of children, child prostitution and child pornography, as well as the basic measures required for preventing and eradicating these serious problems;".

(Mr. Rosenberg, Ecuador)

14. It was also proposed that a new paragraph 6 bis be added that would read as follows:

> "Requests the Centre for Human Rights to transmit the content of the preceding paragraph to the Committee on the Rights of the Child so that it can express its comments;".

15. Finally, in the third line of operative paragraph 9, the words "which will be established by" should be replaced by the word "of".

16. Côte d'Ivoire, Guinea-Bissau, Morocco, Mongolia and the Philippines had become co-sponsors of the draft resolution, which the sponsors hoped would be adopted without a vote.

17. Mrs. KUMELA (Ethiopia) and Mr. KONKOBO (Burkina Faso) joined the sponsors of the draft resolution.

Draft resolution A/C.3/48/L.40

18. The CHAIRMAN said that Australia, Austria, Belgium, Cambodia, Denmark, Finland, France, Iceland, Ireland, Norway, Portugal, Solomon Islands, Spain and Sweden had become co-sponsors of draft resolution A/C.3/48/L.40, entitled "Protection of children affected by armed conflicts".

19. Mr. ROSENBERG (Ecuador), introducing draft resolution A/C.3/48/L.40 on behalf of the Group of Latin American and Caribbean States, said that the sponsors had referred to the legal framework provided by the Geneva Conventions of 1949, the Convention on the Rights of the Child of 1989 and the two Additional Protocols of 1977 to the Geneva Conventions, instruments which guaranteed special protection of children in times of armed conflict. The need to preserve the physical wholeness and mental health of those children and to treat the traumas caused by those conflicts was so important that the General Assembly should take a position on the issue and request the Secretary-General to submit to it a report on the subject at its forty-ninth session.

20. Some sponsors had suggested amendments to the text. In paragraph 7 of the English version, the phrase "to prevent children from being affected by armed conflicts" should be inserted after the words "ways and means". In the same paragraph, the following text should be inserted after the phrase "measures to ensure effective protection of these children": "including against indiscriminate use of all weapons of war, especially anti-personnel mines". In addition to the Latin American and Caribbean countries, Angola, Bosnia and Herzegovina, Côte d'Ivoire, Guinea-Bissau, Mongolia, Morocco and Namibia had joined the sponsors. They hoped that the draft resolution would be adopted without a vote.

21. Mrs. KUMELA (Ethiopia) and Mr. KONKOBO (Burkina Faso) said that their delegations wished to join the sponsors of the resolution.

Draft resolution A/C.3/48/L.42

22. The CHAIRMAN announced that Albania and Guatemala had joined the sponsors of draft resolution A/C.3/48/L.42 entitled "Human rights and terrorism".

23. Mr. BATU (Turkey), introducing draft resolution A/C.3/48/L.42, announced that Colombia, Kazakhstan, Nigeria and Tajikistan had also joined the sponsors. The World Conference on Human Rights had provided an opportunity to introduce some new elements into United Nations mechanisms for the elimination of human rights violations. Thus, in paragraph 17 of the Vienna Declaration, terrorism was viewed as a violation of human rights and any justification of terrorism was made impossible. The World Conference had considered that, along with torture, summary and arbitrary execution, racism, intolerance and the lack of the rule of law, terrorism constituted an obstacle to the exercise of human rights and a violation of those rights. The wording of paragraph 17 of the Vienna Declaration and Programme of Action was essentially based on articles 3 and 30 of the Universal Declaration of Human Rights. By adopting it by consensus, the World Conference had wished to demonstrate that the international community absolutely condemned terrorism and branded it a gross violation of human rights and fundamental freedoms.

24. The purpose of the draft resolution was to reaffirm the message of Vienna. It was related conceptually to the right to life. Random massacre of innocent civilians was the most common terrorist practice. The purpose was to terrorize public opinion, undermine pluralist civil society, which was kept in a state of shock. Failure to condemn human rights violations perpetrated by terrorists would allow them to justify continuing their activities, which were intended to destroy human rights, fundamental freedoms and democracy, threaten the territorial integrity and security of States, destabilize legitimately constituted Governments, and adversely affect economic and social development. The draft resolution was a compromise text based mainly on the agreed language of the Vienna Declaration. The sponsors had been unable to reflect some comments concerning self-determination and the view that terrorism was not a violation of human rights but their destruction. On the first point, the principle of self-determination, which his delegation fully respected, was not relevant to the conceptual framework of the draft, which dealt with the human rights violation represented by terrorism. As for the second point, it was difficult to accept that a right could be destroyed without first having been violated.

25. The right to life was the most essential and basic human right, and the draft resolution emphasized the dimension of terrorism that had to do with the violations of human rights and, in particular, of the right to life. The sponsors were convinced that the international community would adopt a position that would deter terrorist groups from continuing their indiscriminate acts of violence and terror, thus showing solidarity with their victims. They urged the adoption of the draft without a vote.

Draft resolution A/C.3/48/L.43

26. Mrs. SILVERA (Cuba), introducing draft resolution A/C.3/48/L.43 entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms", said that the text reproduced, with some minor modifications, the one which the General Assembly had adopted at its previous session. The draft recalled the principles and criteria to be taken into consideration when examining any question concerning human rights. It reaffirmed that the implementation of the right to development was an indispensable element in the process of creating the appropriate conditions for the full enjoyment and preservation of all human rights and fundamental liberties (seventh preambular paragraph), that the right to development was an inalienable human right and that equality of development opportunities was a prerogative both of nations and of individuals within nations. The operative part of the resolution reaffirmed that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and economic, social and cultural rights, by strengthening cooperation in that area. The sponsors hoped that it would be adopted without a vote.

Draft resolution A/C.3/48/L.44

27. Ms. VALLE (Cuba), introducing draft resolution A/C.3/48/L.44 entitled "Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes", said that, in the tenth preambular paragraph, the phrase "resolution 46/130 of 17 December 1991" should be replaced by "resolution 47/130 of 18 December 1992". The subject addressed in the draft, whose text closely followed that of the draft considered at the previous General Assembly session, remained of cardinal importance to its sponsors. In paragraph 4, they reaffirmed that there was no universal need for the United Nations to provide electoral assistance to Member States, except in special circumstances such as cases of decolonization, or at the request of specific sovereign States. The draft under consideration, however, added to the previous draft by affirming that States should establish the necessary mechanisms and means to guarantee full popular participation in electoral processes. All States must respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social systems. Finally, it called upon the Commission on Human Rights to continue giving priority to the review of the fundamental factors that negatively affected the observance of the principle of national sovereignty and non-interference in the internal affairs of States in their electoral processes, and requested the Secretary-General to report to the General Assembly on the implementation of the proposed resolution. Its sponsors hoped that the General Assembly would adopt the draft resolution, just as it had adopted the drafts submitted on the subject at previous sessions.

28. Mr. JALLOW (Gambia) said that his country wished to become a sponsor of the draft resolution.

Draft resolution A/C.3/48/L.45

29. Mrs. SILVERA (Cuba), introducing draft resolution A/C.3/48/L.45, entitled "Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity", said that the text was largely similar to that of the resolution which the General Assembly had adopted without a vote at its previous session. The draft resolution reaffirmed the importance of applying the principles of non-selectivity, impartiality and objectivity when considering human rights issues. It also reaffirmed in paragraph 1, that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples had the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State had the duty to respect that right within the provisions of the Charter, including respect for territorial integrity.

30. The sponsors had introduced a minor change in paragraph 6, replacing, in the Spanish text, the words "en particular" with the words "así como". Paragraph 8 underlined the continuing need for impartial and objective information on the political, economic and social situations and events in all countries so that the criteria in question could be legitimately applied when evaluating the human rights situation of a given country and the implementation of the relevant instruments. Lastly, the sponsors of the draft resolution requested that the matter should be considered at the forty-ninth session of the General Assembly under the item entitled "Human rights questions".

31. Mr. SHARP (Australia), referring to paragraph 6 of the English version, asked if the words "in particular" should be replaced by the words "as well as".

32. The CHAIRMAN, after an affirmative nod from the representative of Cuba, confirmed that that was the case.

Draft resolution A/C.3/48/L.46

33. Mr. BATU (Turkey), introducing draft resolution A/C.3/48/L.46, entitled "United Nations year for tolerance", said that the idea of proclaiming a United Nations year for tolerance had been launched at the twenty-sixth session of the General Conference of the United Nations Educational, Scientific and Cultural Organization and had been taken up again by the General Assembly in its resolution 47/124 of 18 December 1992 as well as by the Economic and Social Council in its resolution 1993/57 of 29 July 1993. In view of the new period of transition in international relations which was often marked by tragic events stemming largely from intolerance, mankind needed not only political decisions but a new vision of a peaceful future for all, without regard for religion or ethnic origin. Tolerance was a prerequisite for the attainment of that vision, which would be strengthened by the proclamation of a year devoted to that concept. Since the draft resolution proclaiming 1995 the United Nations year for tolerance had no programme budget implications for the Organization, its sponsors hoped that it would be adopted without a vote.

Draft resolution A/C.3/48/L.47

34. Mrs. CASTRO de BARISH (Costa Rica), introducing draft resolution A/C.3/48/L.47, entitled "Human rights education decade", announced that Guatemala and Senegal had become sponsors of the draft resolution. She also wished to draw attention to a number of revisions that had been made to the text. In the fourth preambular paragraph, after the words "children, women," the words "young persons and the ageing," should be inserted, which would then be followed by "indigenous peoples, minorities, the disabled and others." In paragraph 4, the wording of the Spanish version should be slightly modified. In paragraph 5, the expression "la esfera de" should be deleted from the second line of the Spanish text. The sponsors hoped that the draft resolution would be adopted by consensus.

35. Mrs. KABA (Côte d'Ivoire) said that the translation into French of the name of the decade was unsatisfactory and should be changed. Instead of "Décennie pour l'enseignement des droits de l'homme", she proposed a title closer to the English and Spanish ones: "Décennie pour l'éducation en matière de droits de l'homme". In French, "éducation" was a broader and deeper idea than "enseignement"; the draft resolution was intended to change attitudes and behaviour on all levels of society, and should not be confined to the sort of "teaching" done at schools or universities.

36. Mrs. KUMELA (Ethiopia), Mr. JALLOW (Gambia), Mr. ZIMBA (Mozambique), Mr. STREJCZEK (Poland) and Miss MANSARAY (Sierra Leone) said that their countries wished to become sponsors of the draft resolution.

37. Mr. BOISSON (Monaco) said that he wished to join in sponsoring the draft resolution and strongly supported the request made by the representative of Côte d'Ivoire.

Draft resolution A/C.3/48/L.48

38. The PRESIDENT announced that Georgia had become a sponsor of draft resolution A/C.3/48/L.48, entitled "Elimination of all forms of racial intolerance".

39. Mr. BIGGAR (Ireland) said that Israel had also become a sponsor; introducing the draft resolution, he said that a number of corrections had been made in the various versions of the text. In the Arabic version, the title had been omitted. In paragraph 4 of the French version, the phrase "y compris ceux qui sont motivés par l'extrémisme religieux", which appeared in the English version, should be added after the words "actes de violence". In paragraph 4 of the Spanish version, a comma should be added after the words "por el extremo religioso". He called on all delegations to adopt the draft resolution by consensus.

Draft resolution A/C.3/48/L.50

40. The PRESIDENT announced that Argentina, Armenia, Australia, Austria, Belgium, Brazil, China, Costa Rica, France, Mexico, Spain and Uruguay had become sponsors of draft resolution A/C.3/48/L.50, entitled "Right to development".

41. Mr. SUPANDY (Indonesia), introducing the draft resolution on behalf of the States Members of the United Nations who were also members of the Movement of Non-Aligned Countries, announced that Denmark and Norway had also become sponsors. He pointed out that in the Spanish version of the document, the title had been omitted. The draft resolution emanated from the consensus reached at the World Conference on Human Rights in Vienna and recalled the progress made during the year, noting in particular the establishment by the Commission on Human Rights at its forty-ninth session of a working group on the right to development which was to submit an annual report on the subject to the Commission. He hoped that, as in the past, the draft resolution would be adopted by consensus.

42. Mrs. ALVAREZ (Dominican Republic) said that her delegation wished to become a sponsor of the draft resolution.

Draft resolution A/C.3/48/L.51

43. The PRESIDENT announced that Albania had become a sponsor of draft resolution A/C.3/48/L.51, entitled "Rape and abuse of women in the territory of the former Yugoslavia".

44. Mr. UMER (Pakistan) said that the draft resolution aimed to draw the international community's attention to one of the most obnoxious aspects of the armed conflict taking place in Bosnia and Herzegovina. Although in the history of humankind there had been very few instances of aggressors using rape as a weapon of war, thousands of Bosnian women had been subjected to such criminal acts, which were intended to change the demographic composition of many regions in the former Yugoslavia, particularly Bosnia and Herzegovina. To enable the draft resolution to be adopted by consensus, Pakistan had agreed to revise a number of paragraphs. In the fourth preambular paragraph the words "widespread rape and abuse of women and children" should be followed by the words "in the areas of the armed conflict". In the eleventh paragraph the reference to document E/CN.4/1994/47 should be deleted. In the twelfth paragraph the expression "in particular in the former Yugoslavia" should be replaced by "in particular in the Republic of Bosnia and Herzegovina" and the word "instrument" by the word "weapon", and the inverted commas should be deleted. The thirteenth paragraph should be deleted and replaced by the following text: "Desirous of ensuring that persons accused of upholding and perpetrating crimes of rape as a weapon of war in the areas of the armed conflict in the former Yugoslavia will be brought to justice by the International Tribunal". In the fourteenth paragraph the words "to provide assistance and compensation to those victims" should be added after the word "response". In operative paragraph 1 the words "women and children" should be followed by the words "in the areas of the armed conflict" and "in the circumstances" should be deleted. In paragraph 2 the following phrase should be added after "as a weapon of war": "as an instrument

(Mr. Umer, Pakistan)

of ethnic cleansing against the women and children in the areas of the armed conflict in the former Yugoslavia, in particular against Muslim women and children in Bosnia and Herzegovina". The rest of the paragraph should be deleted. In paragraph 7 the reference to document E/CN.4/1994/47 should be omitted. Paragraph 9 should be replaced by the following paragraph: "Invites the Centre for Human Rights to request the Special Rapporteur to continue its investigation into the rape and abuse of women and children in the areas of the armed conflict in the former Yugoslavia, in particular in the Republic of Bosnia and Herzegovina". Paragraph 10 should be replaced by the following paragraph: "Determines that rape is a heinous crime and encourages the International Tribunal to give due priority to the cases of the victims of rape in the areas of the armed conflict in the former Yugoslavia, in particular in the Republic of Bosnia and Herzegovina". Paragraph 13 should be replaced by the following words: "Decides to continue the consideration of this question at its forty-ninth session".

45. Mrs. MBELLA NGOMBA (Cameroon), Mrs. CASTRO de BARISH (Costa Rica), Mr. JALLOW (Gambia) and Mrs. ALVAREZ (Dominican Republic) said their delegations wished to become sponsors of the draft resolution.

Amendments (A/C.3/48/L.52) to draft resolution A/C.3/48/L.42

46. Mr. UMER (Pakistan), introducing the proposed amendments to draft resolution A/C.3/48/L.42 (entitled "Human rights and terrorism"), which were set out in document A/C.3/48/L.52, said that the rationale behind the proposed amendments was to reflect the distinction made by the international community between acts of terrorism and the legitimate struggle of people for self-determination, as was reflected in the resolutions adopted by the General Assembly, particularly General Assembly resolution 46/51 of 9 December 1991, and the extremely clear statement on the matter at the Summit Meeting of the Non-Aligned Movement in Jakarta. That distinction emanated from a concern not to compromise the sanctity of a fundamental right, of which colonial empires and aggressors had constantly deprived oppressed peoples desiring to regain their freedom, by accusing them of acts of terrorism. Pakistan was in full agreement with the message of the initial draft resolution, which had firmly condemned all acts of terrorism. It felt it necessary, however, to reaffirm, in line with all international pronouncements and earlier resolutions on the issue, that the struggle for self-determination should not be confused with terrorism. Indeed the language of the amendments fully reflected the international consensus, reaffirming General Assembly resolution 46/51 and the Declaration adopted by the World Conference on Human Rights. His country therefore hoped that the proposed amendments would be adopted without a vote.

Draft resolution A/C.3/48/L.53

47. The CHAIRMAN announced that Romania had become a sponsor of draft resolution A/C.3/48/L.53, entitled "International covenants on human rights".

48. Ms. LAHNALAMPI (Finland), introducing the draft, said she hoped that it would be adopted by consensus, as in the past.

Draft resolution A/C.3/48/L.54

49. The CHAIRMAN announced that Antigua and Barbuda, Dominica and Fiji had become sponsors of draft resolution A/C.3/48/L.54, entitled "International Decade of the World's Indigenous People".

50. Mr. WILLIS (Australia), introducing the draft resolution, of which Brazil also wished to be a sponsor, said that in paragraph 9 of the draft the phrase "taking fully into account through appropriate channels the views of indigenous people" should be deleted and the words "with Governments and in partnership with indigenous people" should be added after the words "to consider" in the second line. The draft resolution aimed to follow up the recommendations of the World Conference on Human Rights in Vienna and to keep up the momentum on the International Year of the World's Indigenous People as it drew to a close. There had been extensive and intensive consultations on the draft and a compromise had been reached on, among other issues, the use of the word "people" rather than "peoples". Although it was convinced that the plural conveyed better the idea of collective identity and the strong will of indigenous people throughout the world, Australia had agreed to the use of the singular, to take account of the various legal implications of the singular and the plural where self-determination was concerned. It reserved the right to defend its point of view before the bodies responsible for scrutinizing such implications; if those bodies ruled in favour of the plural it would be possible for the General Assembly to amend the title of the Decade accordingly. It strongly encouraged delegations to adopt the draft resolution by consensus.

51. Mr. MAINO (Papua New Guinea), Miss MANSARAY (Sierra Leone), Mr. ROSENBERG (Ecuador), Ms. LIMJUCO (Philippines) and Mr. JALLOW (Gambia) said that their delegations wished to become sponsors of the draft.

Draft resolution A/C.3/48/L.55

52. The CHAIRMAN announced that Israel, Rwanda and Yemen had become sponsors of draft resolution A/C.3/48/L.55, entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

53. Mr. KUEHL (United States of America), introducing the draft on behalf of its sponsors, which had been joined by Armenia and San Marino, welcomed the large number of countries sponsoring a draft which had been the subject of debate two years earlier. He saw it as a recognition of the positive role played by the United Nations in assisting with national elections at the request of Member States.

54. He expressed his gratitude to the Electoral Assistance Unit of the Secretariat, which had greatly contributed to promoting freedom and democracy in many developing countries, and to the Secretary-General, who had had the idea of establishing the Unit at the beginning of 1992. Substantial changes had been made in the text adopted at the forty-seventh session. In that connection, he drew attention to the second preambular paragraph, on the strengthening of institutions, which was inspired by the Vienna Declaration and Programme of

(Mr. Kuehl, United States)

Action, and to paragraphs 3 and 4. The sponsors hoped that the resolution would be adopted without a vote.

55. Mr. MZUMACHARO (Malawi) and Miss KUMELA (Ethiopia) said that their delegations wished to join the sponsors of the draft resolution.

Draft resolution A/C.3/48/L.56

56. The CHAIRMAN announced that France and Georgia had become sponsors of draft resolution A/C.3/48/L.56, entitled "Strengthening of the rule of law".

57. Mr. GAMA (Brazil), introducing the draft resolution on behalf of the sponsors, who had been joined by Guatemala, Peru and Uruguay, said that for the first time the General Assembly was considering a text on the question of strengthening the rule of law. The Commission on Human Rights had been studying the subject since its forty-eighth session. In its resolutions 1992/51 and 1993/50, which had been adopted by consensus, the Commission had requested the Preparatory Committee for the World Conference on Human Rights to consider ways and means by which the United Nations system could make a more significant contribution to the strengthening of the rule of law in Member States in order to promote and protect human rights and fundamental freedoms.

58. Paraphrasing the last preambular paragraph and paragraphs 1 and 2 of the draft resolution, he said that its basic aim was to support the recommendations of the World Conference on Human Rights and to reiterate the request to the Secretary-General contained in paragraph 70 of the Vienna Declaration and Programme of Action, as set out in paragraph 3 of the draft resolution.

59. The text set out the major points of a programme of constructive international cooperation in the field of human rights. The importance of the rule of law and the proper functioning of national institutions that guaranteed it derived from the Universal Declaration of Human Rights. In their draft resolution, the sponsors had stressed the difficulties encountered by Governments that wished to ensure respect for and promote human rights but lacked the necessary human, material and financial resources; that was particularly the case in the developing countries.

60. The sponsors had been led by a spirit of collaboration, and were persuaded that the United Nations system must, as a matter of urgency, take effective measures to aid countries in strengthening the rule of law and overall respect for human rights and fundamental freedoms. He hoped that the text would be adopted by consensus.

61. Mr. STEFANOV (Bulgaria), Mrs. CASTRO de BARISH (Costa Rica), Mr. MZUMACHARO (Malawi), Mr. JALLOW (Gambia) and Ms. LIMJUCO (Philippines) said that their delegations wished to become sponsors of the draft.

Draft resolution A/C.3/48/L.57

62. The CHAIRMAN announced that Japan and Romania had become sponsors of draft resolution A/C.3/48/L.57, entitled "Situation of human rights in Iraq".

63. Mr. VAN DE CRAEN (Belgium), introducing the draft on behalf of the European Union and the other sponsors, which had been joined by Panama and San Marino, said that the Commission on Human Rights, in its resolution 1993/74, had, inter alia, requested its Special Rapporteur to submit an interim report on the situation of human rights in Iraq to the General Assembly at its forty-eighth session.

64. Paraphrasing paragraphs 2, 3, 7, 9, 11 and 13 of the draft, he appealed to the Iraqi authorities to give concrete evidence of their willingness, which they had often expressed, to ratify a number of international legal instruments in the field of human rights, to collaborate fully with the Special Rapporteur, and, in keeping with the spirit and the letter of the Vienna Declaration, to join the entire international community in its efforts to ensure respect for and promotion of human rights throughout the world. The sponsors hoped that the draft would be adopted without a vote.

Draft resolution A/C.3/48/L.58

65. Mr. NOTERDAEME (Belgium) introduced draft resolution A/C.3/48/L.58, entitled "Situation of human rights in the Islamic Republic of Iran", on behalf of the European Union and the other sponsors, which had been joined by San Marino. He said that the draft was similar to previous resolutions, including General Assembly resolution 47/146, Commission on Human Rights resolution 1993/62 and resolution 1993/14 of the Subcommission on Prevention of Discrimination and Protection of Minorities. The text referred to the observations of the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the human rights situation in the Islamic Republic of Iran.

66. After paraphrasing paragraphs 1, 2, 3, 6 and 12 of the draft, he said that he hoped it would be adopted without a vote.

Draft resolution A/C.3/48/L.60

67. The CHAIRMAN announced that the Philippines had joined the sponsors of draft resolution A/C.3/48/L.60, entitled "International Year for the World's Indigenous People 1993".

68. Ms. LAMARRE (Canada), introducing the draft on behalf of the sponsors, who had been joined by Antigua and Barbuda, Cuba, Denmark, Ecuador, Nicaragua and Senegal, said that the text had been amended in order to update it, to ensure that the innovations and cooperation did not end with the International Year, to provide the opportunity to prepare a plan of action and a financial plan for the International Decade of the World's Indigenous People, to stress the need for planning tools, to take note of the efforts of all States and indigenous

(Ms. Lamarre, Canada)

communities to celebrate the International Year, and to acknowledge the contributions of all participants in activities under the Year.

69. A balanced approach encompassing human rights and economic, social and cultural elements was the only way to achieve lasting benefits for indigenous communities by the end of the decade. Action and funding plans, tied to those objectives, would be the first measurable indicators.

Draft resolution A/C.3/48/L.61

70. The CHAIRMAN announced that the United Kingdom had become a sponsor of draft resolution A/C.3/48/L.61, entitled "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights".

71. Ms. LAMARRE (Canada), introducing the draft resolution on behalf of its sponsors, said that as recently confirmed in the Vienna Declaration and Programme of Action, the effective functioning of the human rights treaty body system was essential to ensuring universal respect for human rights.

72. She recalled that at its forty-seventh session, the Committee had asked the Secretary-General to take the appropriate measures to provide financing from the United Nations regular budget for the two committees established under the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. She stressed the importance of that decision for the promotion and protection of human rights.

73. Citing paragraph 2 of the draft, she expressed the hope, on behalf of the sponsors, that it would be adopted without a vote.

74. Mrs. MBELLA NGOMBA (Cameroon) said that her delegation wished to become a sponsor of the draft resolution.

Draft resolution A/C.3/48/L.62

75. The CHAIRMAN said that Canada and Georgia had become sponsors of draft resolution A/C.3/48/L.62, entitled "Situation of human rights in Somalia".

76. Mrs. MORENSKI (United States of America), introducing the draft on behalf of its sponsors, which had been joined by Armenia, Belgium, Denmark, France, Germany, Greece, Iceland, Morocco, Netherlands, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Spain, Sweden and the United Kingdom, said that the draft under consideration was a new resolution, which was warranted because of the growing number of human rights violations in Somalia. The resolution had been drafted in response to a report submitted by the Independent Expert appointed by the Secretary-General pursuant to Commission on Human Rights resolution 1993/86, which had been adopted by consensus. In his report, the Expert had expressed concern about the deaths of civilians, United Nations personnel and relief workers.

(Mrs. Morenski, United States)

77. After paraphrasing the final preambular paragraph and paragraphs 2, 3, 4 and 5 of the draft, she said that if the Somali parties did not confirm their commitment to disarm, it would be practically impossible to set up a legitimate and responsible government which could re-establish the infrastructure and public services and protect the human rights and fundamental freedoms of all Somalis. The draft resolution was proof that the international community attached great importance to the right of the Somali people to live in peace and security, in accordance with the principles of the Charter of the United Nations and the Universal Declaration of Human Rights.

78. She thanked the delegations which had helped draft the text and said she hoped that it would be adopted by consensus.

79. Miss KUMELA (Ethiopia) said that her country had become a sponsor of the draft resolution.

Draft resolution A/C.3/48/L.63

80. The CHAIRMAN said that Australia, France and the United Kingdom had become sponsors of draft resolution A/C.3/48/L.63, entitled "National institutions for the promotion and protection of human rights".

81. Mrs. MURUGESAN (India), introducing the draft resolution on behalf of its sponsors, which had been joined by Bulgaria, the Gambia, Nepal and New Zealand, said that the Universal Declaration of Human Rights and the international human rights covenants had established a framework for the enjoyment of human rights. The World Conference on Human Rights, held in Vienna, had reaffirmed the importance accorded by the international community to all human rights.

82. The principles relating to the status of the national institutions, contained in the annex to the draft resolution, were only a general framework. After paraphrasing the final preambular paragraph, and paragraphs 2 and 12 of the text, she said that the draft encouraged countries to exchange experiences in the domain in question. She called the Committee members' attention to paragraphs 6 and 9 of the text, and said that the final preambular paragraph had been revised: in the second line, the words "the universality, indivisibility and interdependence of all human rights" should be inserted after "emphasizing". The sponsors of the draft resolution hoped that it would be adopted by consensus.

Draft resolution A/C.3/48/L.64

83. The CHAIRMAN said that the United States had become a sponsor of draft resolution A/C.3/48/L.64 entitled "Internally displaced persons".

84. Mr. SEIM (Norway), announcing that Azerbaijan had become a sponsor of the draft resolution, said that there were 25 to 30 million displaced persons in the world. However varied and complex the causes, the suffering those individuals had to face was often similar. The general aim of the draft resolution was to endorse the efforts of the Secretary-General's representative and to encourage

(Mr. Seim, Norway)

him in his task. After placing particular emphasis on the fifth and sixth preambular paragraphs and paragraphs 1, 2, 3 and 5 of the text, he expressed the hope, on behalf of the sponsors, that the draft resolution would be adopted without a vote.

85. Mr. ZIMBA (Mozambique), Mr. VOLSKI (Georgia) and Mrs. DROZD (Belarus) said that their delegations had become sponsors of the draft resolution.

86. Mr. GUILLEN (Peru) said that his Government had followed with particular interest the observations and reports submitted to the Commission on Human Rights concerning the issue of internally displaced persons, which called for special cooperation. His country wished to sponsor the draft resolution.

Draft resolution A/C.3/48/L.65

87. The CHAIRMAN said that Georgia, Greece, Israel, Luxembourg and the Netherlands had become sponsors of draft resolution A/C.3/48/L.65 entitled "Situation of human rights in the Sudan".

88. Mrs. THRAPP (United States of America) said that Armenia and Japan had also joined the list of sponsors. In order to take into account the concerns of various delegations, the United States had submitted a revised draft text which made clear that human rights violations in the Sudan were continuing (summary executions, detentions without due process, forced displacement of individuals, torture, obstacles to supplying humanitarian assistance and injuries to relief workers) and took note of the efforts made by the Heads of States of the Intergovernmental Authority for Drought and Development to assist parties to the conflict in the Sudan in reaching a peaceful settlement. With a view to achieving consensus on the text, the sponsors had accepted the amendments proposed by the Sudanese Government, which had been included in the revised text already submitted to the Secretariat. They hoped that the draft resolution would accordingly be adopted by consensus.

89. Mr. YOUSIF (Sudan) said that his delegation opposed draft resolution A/C.3/48/L.65, which was similar to General Assembly resolution 47/142 of 1992. It was politically motivated and biased, contained sweeping generalizations and unverified statements, and misrepresented several aspects of the report of the Special Rapporteur. His delegation had held consultations with the sponsors and had proposed a comprehensive set of amendments, which had been rejected without justification, so that it had not been possible to reach consensus.

90. His delegation, summarizing its detailed comments on the draft resolution, believed that the text characterized problems relating to natural disasters, the armed conflict in southern Sudan and the economic situation as human rights violations in a political context, while the right to development of Sudan, a least developed country, was violated through the economic and political pressure exerted on its Government. Secondly, although those problems had existed long before the current Government had taken office, the United States Government had decided to raise the issue in 1992 for purely political reasons, in order to exert pressure on the Government, and not for humanitarian reasons.

(Mr. Yousif, Sudan)

Thirdly, the draft resolution, which deliberately disregarded the cooperation extended by his Government and its efforts to address the underlying causes of the so-called human rights violations, would have a negative impact on the peace initiatives undertaken by the Government and others with a view to solving the problems relating to the conflict in the southern part of the country. Fourthly, the unjustified refusal to recognize the unconditional cooperation extended by his Government, the misrepresentation of the Special Rapporteur's statements concerning that cooperation, and the political context in which the text had been drafted, undermined the Special Rapporteur's mission. His Government found it regrettable that the United Nations system should be manipulated in order to appease the United States Government and its allies or to serve their objectives. Lastly, he called upon delegations to strike a balance between the Sudanese people's right to development, as a basic human right, and the Sudanese Government's duty to respect human rights in general. The international community was duty-bound not to disregard the efforts of the Sudanese Government to address the underlying causes of the so-called human rights violations.

91. For those reasons, his delegation would vote against the draft resolution, and it hoped that all members of the Committee would do likewise.

92. Mr. AGGREY (Ghana) said that, as the revised text reflected some concerns which he had discussed with the sponsors, his delegation had joined the list of sponsors of the draft resolution.

Draft resolution A/C.3/48/L.66

93. The CHAIRMAN said that Swaziland and Uruguay had joined the list of sponsors of draft resolution A/C.3/48/L.66, entitled "Plight of street children".

94. Mr. NOTERDAEME (Belgium) introduced the draft resolution on behalf of the European Union and some 50 countries, which had been joined by Ecuador, Guatemala, San Marino and Singapore. The sponsors noted with satisfaction that the Convention on the Rights of the Child was being ratified by a growing number of States. Children, especially street children, as a particularly vulnerable section of society, required special protection from their families and communities, as part of national and international efforts to improve their living conditions. Drawing attention to preambular paragraphs 3, 5, 14, 15 and 16, and to operative paragraph 3, which urged Governments to take urgent measures to prevent the killing of street children, he said that it was to be hoped that the draft resolution would be adopted by consensus.

95. Mr. CHEPETE (Botswana), Mr. KUMELA (Ethiopia), Mr. OKOUA (Togo), Mrs. TERRAZAS (Bolivia), Mr. DIALL (Mali), Mr. KONKOBO (Burkina Faso), Mrs. ROMULUS (Haiti) and Mr. GUILLEN (Peru) said that their delegations had joined the list of sponsors of the draft resolution.

Draft resolution A/C.3/48/L.73

96. The CHAIRMAN said that the draft resolution, entitled "Situation of human rights in Afghanistan", had been submitted by him, and that the text was acceptable to all parties. The penultimate line of paragraph 10 had been amended and should read as follows: "... legally and effectively ended, as well as for the tracing of the many Afghans still missing ...". It was to be hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/48/L.67

97. Mrs. MORGAN (Mexico), introducing the draft resolution, entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families", on behalf of the sponsors, said that it was intended to draw the attention of the international community to the situation of migrant workers and members of their families and the need to protect their rights.

98. Noting that the draft resolution took into account the results of the World Conference on Human Rights, she read out preambular paragraphs 5 and 6. Drawing attention to paragraphs 2 and 3, she stressed the importance of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the need for its entry into force in view of the substantial increase in migration throughout the world. The sponsors hoped that the draft resolution would be adopted without a vote.

99. Ms. LIMJUCO (Philippines) and Mr. AGGREY (Ghana) said that their delegations had joined the list of sponsors of the draft resolution.

Draft resolution A/C.3/48/L.69

100. Mrs. MOSER (Austria), introducing draft resolution A/C.3/48/L.69, entitled "Human rights in the administration of justice", said that Spain, New Zealand and San Marino had joined the list of sponsors. She recalled that a draft resolution on the question was submitted every two years; that was why paragraph 14 provided for the question to be considered at the fiftieth session of the General Assembly. The sponsors had endeavoured to take into account, in the text of the draft resolution, not only the relevant provisions of the Vienna Declaration and Programme of Action, but also Commission on Human Rights resolutions 1993/32 and 1993/41; they thanked those delegations which had shown a special interest in the issue for their fruitful cooperation. Drawing attention, in particular, to paragraphs 4, 6 and 7, she noted that the text was the result of intensive negotiations, and that the sponsors had endeavoured to take into consideration a wide variety of views; it was to be hoped that, as in previous years, the Committee would adopt the draft resolution by consensus.

101. Mr. Van der Heijden (Netherlands), Vice-Chairman, took the Chair.

102. Mrs. KABA (Côte d'Ivoire) said that her delegation had joined the list of sponsors of the draft resolution.

The meeting rose at 6 p.m.